

From: Kelly Wright <kwright@sbtribes.com>
Sent: Thursday, March 13, 2014 5:47 PM
To: Gervais, Gregory
Cc: susanh@ida.net; Jill Grant (jgrant@jillgrantlaw.com); dreisman@cinci.rr.com; Rochlin, Kevin
Subject: Independent Review -

Greg,

The Tribes are very anxious to move forward on this project. We agree a face to face meeting is very important but unfortunately, 3 of us are involved in a preparation for trial which has been scheduled for the entire month of April.

The soonest we could meet would be the first full week (5th through 9th) of May. Hopefully, this would meet with yours and Argonne's schedule.

Could we work to adjust the schedule accordingly? We will have Jill follow up with a call tomorrow if you are available. Sorry for the delay in getting back with you.

Thanks and looking forward to working with you and your staff in the near future.

Kelly C. Wright

Environmental Waste Management Program Manager

Shoshone Bannock Tribes

From: "Gervais, Gregory" <Gervais.Gregory@epa.gov>
Date: March 11, 2014, 11:01:10 AM MDT
To: Kelly Wright <kwright@sbtribes.com>, "susanh@ida.net" <susanh@ida.net>
Cc: "Fonseca, Silvina" <Fonseca.Silvina@epa.gov>, "Fiedler, Linda" <Fiedler.Linda@epa.gov>, "Adam, Michael" <Adam.Michael@epa.gov>, "Rochlin, Kevin" <rochlin.kevin@epa.gov>, Jill Grant <jgrant@jillgrantlaw.com>, "dreisman@cinci.rr.com" <dreisman@cinci.rr.com>
Subject: RE: FMC Independent Review - Draft Project Plan and Scheduling Next Meeting

Kelly and Susan,

We have looked a second time at our availability, both for an in person meeting and a conference call. Would Jill, David and you be available in person any of the dates from March 24-April 4? If not, what would your availability be for two 3-hour conference calls, to be scheduled on two separate days from March 24-April 4? I think both EPA and you are interested in building forward momentum for this project and reducing delays. We are focusing on having our meeting by April 4th to limit further schedule delays for Argonne to proceed with the technical review. However, if you have no availability in person or via phone prior to April 4th please let us know as we will need to work with you to both identify a suitable date and make overall schedule adjustments.

On a related note, we believe that our meeting will be more effective if we utilize a facilitator. Our first inclination is to use Argonne for that service, even if we need to request someone who will be excluded from the actual independent team. Ordering this service would need to happen soon, as Argonne would need to assign someone who can meet our scheduling

constraints. Please let me know if you are open to this, and if yes we will include you on communications with Argonne to order the service.

Finally, please note that EPA HQ will be copying Kevin Rochlin on all email traffic as he has the role of EPA's coordinator for collecting documents that are responsive to an ongoing Freedom of Information Act request. He will not be involved with the upcoming meeting.

If you would prefer to call me and discuss these items, my contact information is below.

Best,

Greg

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Greg Gervais, P.E.
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-----Original Message-----

From: Jill Grant [<mailto:jgrant@jillgrantlaw.com>]
Sent: Monday, March 10, 2014 4:36 PM
To: Gervais, Gregory; Kelly Wright; susanh@ida.net; dreisman@cinci.rr.com
Cc: Fonseca, Silvina; Fiedler, Linda; Adam, Michael; Rochlin, Kevin
Subject: RE: FMC Independent Review - Draft Project Plan and Scheduling Next Meeting

Greg,

Thanks for your email and for forwarding EPA's draft project plan. Kelly and Susan will be the contacts for the Tribes on this matter.

Unfortunately, it doesn't look like March 24 or 25 will work for any of us for the next meeting, but please communicate with Kelly and Susan regarding alternatives. I know everyone is anxious to begin this project.

Jill

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-----Original Message-----

From: Gervais, Gregory [<mailto:Gervais.Gregory@epa.gov>]

Sent: Friday, March 07, 2014 7:08 AM

To: Kelly Wright; Jill Grant; susanh@ida.net; dreisman@cinci.rr.com

Cc: Fonseca, Silvina; Fiedler, Linda; Adam, Michael; Rochlin, Kevin

Subject: FMC Independent Review - Draft Project Plan and Scheduling
Next Meeting

Dear Kelly, Jill, Susan and David:

Thank you for participating in our introductory call last week concerning the elemental phosphorus excavation and treatment technology assessment for the FMC Operable Unit of the Eastern Michaud Flats Superfund Site ('the independent review'). As we discussed, the Office of Superfund Remediation and Technology Innovation (OSRTI) in EPA headquarters has been tasked with the lead for managing and coordinating Phase 1 of the independent review. As described in the July 10, 2012 letter to Chairman Small from EPA Deputy Administrator Bob Perciasepe and its attachment, there will be one or two phases to the project. The current effort is the technology review (Phase 1). Phase 2 ('Further Evaluation of Promising Technologies') may be undertaken, as indicated in the attachment to the Perciasepe letter: ". if EPA, with input from the Tribes, determines that the results of Phase 1 merit additional evaluation." The EPA will consider the product of the independent review when selecting the final remedy for the FMC Operable Unit.

On the call we introduced OSRTI staff who will be involved in coordinating the project:

- Greg Gervais, Chief, Technology Assessment Branch;
- Silvina Fonseca, Remedy Team Leader;
- Linda Fiedler, Environmental Engineer; and
- Mike Adam, Project Officer

As discussed, I will direct the effort and be the primary EPA contact for Shoshone-Bannock Tribal representatives who will be involved in this project. I can be reached at 703-603-0690, and gervais.gregory@epa.gov.

We also discussed that the EPA and the Tribes previously agreed the review will be accomplished by Argonne National Laboratory under an OSRTI Interagency Agreement managed by Mike Adam. To further consolidate coordination of the review, the management of the EPA Cooperative Agreement with the Tribes to support funding for the Tribes' technical representative for the independent review will be transferred from EPA Region 10 to OSRTI.

As we discussed on our call, in preparation for the technology review effort the EPA has developed a preliminary Project Plan for Phase 1 containing drafts of the following: a schedule, roles and responsibilities, an IAG work order to be completed by the EPA with the Tribes' input, and a placeholder for applicable technical information to be provided to Argonne with the final work order. This preliminary plan is attached for your review. We would like to schedule an in person meeting to discuss the Project Plan and tribal feedback. Because of the limited availability of OSRTI staff, we have narrowed down the possible meeting date to either March 24th or 25th, and we suggest one of two possible central locations: Chicago or Salt Lake City.

If travel is problematic, I would propose that in the interest of keeping the project moving, we meet again by phone that week instead of in person. Please let me know by next week if possible what you think of the suggested meeting logistics and timeline.

I look forward to continued progress and coordination on this effort. If you have any questions, please don't hesitate to contact me.

Sincerely,

Greg Gervais, P.E., Chief
Technology Assessment Branch
Technology Information and Field Services Division Office of Superfund
Remediation and Technology Innovation

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